

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 Erin Gettel
5 Assistant Federal Public Defender
6 Nevada State Bar No. 13877
7 411 E. Bonneville, Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Erin_Gettel@fd.org

11 Attorney for Engels Marcelino

12
13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**
15

16 United States of America,
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18 Plaintiff,
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20 v.
21 Engels Marcelino,
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23 Defendant.
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Case No. 2:20-mi-00274-VCF

**___ ORDER ___ to Continue
Preliminary Hearing**

27 The parties jointly request that this Court vacate the preliminary hearing
28 scheduled for April 30, 2020, and continue it for at least 90 days because:

- 29 1. On April 16, 2020, Marcelino appeared on the complaint, which
30 charges him with a single count of being a felon in possession of a
31 firearm. ECF No. 1.
- 32 2. At that time, this Court released Marcelino on conditions, including
33 inpatient or outpatient substance abuse treatment as deemed
34 necessary by Pretrial Services. ECF No. 7 at 4.

3. The next day, Marcelino was transported to the Harris Springs Ranch, where he remains in inpatient treatment.
4. Additional time is needed to determine whether a pre-indictment resolution can be reached, which would obviate the need for a preliminary hearing.
5. Denial of this continuance would prejudice the defense and the government and would unnecessarily consume this Court's valuable resources, which are particularly strained during the COVID-19 pandemic.
6. Marcelino agrees to the continuance.
7. Marcelino also consents to extending the time within which a preliminary hearing must be held under Federal Rule of Criminal Procedure 5.1(c) and the time within which an indictment must be filed under 18 U.S.C. § 3161.

DATED: April 28, 2020.

Rene L. Valladares
Federal Public Defender

Nicholas A. Trutanich
United States Attorney

/s/ Erin Gettel
By _____
Erin Gettel
Assistant Federal Public Defender

/s/ Melanee Smith
By _____
Melanee Smith
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 United States of America,
5 Plaintiff,
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9

Case No. 2:20-mj-00274-VCF

**Order Granting First
Stipulation to Continue
Preliminary Hearing**

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11 Based on the stipulation of counsel, the Court finds that Marcelino
12 consents to continue the preliminary hearing for at least 90 days and that good
13 cause exists to do so.

14 IT IS THEREFORE ORDERED that the preliminary hearing scheduled for
15 April 30, 2020, at 4:00 p.m. is vacated and continued to July 30, 2020 at the
16 hour of 4:00 p.m.

17 DATED this 29th day of April, 2020.

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20 Cam Ferenbach
21 United States Magistrate Judge
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